

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

| | | |
|--|---|---------------------|
| In the Matter of the Suspension or |) | |
| |) | CONSENT ORDER OF |
| Revocation of the Educator Certificate |) | |
| |) | VOLUNTARY SURRENDER |
| of Nicholas E. Nielsen, |) | |
| |) | |
| Certificate 904239 |) | |

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on June 8^{PMF}, 2005. On April 22, 2005, the South Carolina Department of Education (Department) sent Nicholas E. Nielsen a notice of his right to a hearing before the State Board concerning the possible suspension or revocation of his South Carolina educator certificate 904239 on the grounds of unprofessional conduct. Upon receipt of that letter, Mr. Nielsen contacted the Department and requested the opportunity to surrender his educator certificate, in lieu of his right to a hearing on the matter. After considering the evidence presented, the State Board voted to accept the voluntary surrender of Mr. Nielsen's certificate.

Nicholas E.
Nielsen
904239

Date

FINDINGS OF FACT

Mr. Nielsen holds a valid educator's certificate with over four years of teaching experience. Mr. Nielsen held a 2004-05 contract with Lexington County School District One and taught A Plus Certification and PC repair classes at Gilbert High School. Mr. Nielsen resigned on March 21, 2005, following allegations that he provided computer discs to students that included inappropriate cartoon images of a sexual nature. 2002, Mr. Nielsen resigned his position with the District. Since that time, Mr. Nielsen has had numerous other criminal charges filed against him.

CONCLUSIONS OF LAW

“The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (2004); 24 S.C. Code Ann. Regs. 43-58 (1991). Just cause includes unprofessional conduct. S. C. Code Ann. §59-25-160 (2004). The State Board finds that there is substantial evidence to support its decision to accept the voluntary surrender of Mr. Nielsen’s certificate 904239.

South Carolina State Board of Education

/S/ Paul M. Forrester
Paul M. Forrester, Chair

Columbia, South Carolina
June 8^{PMF}, 2005

I, Nicholas E. Nielsen SC Educator Certificate 904239, do hereby agree to the proposed Consent Order of Voluntary Surrender, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on June 7, 2005.

/S/ Nicholas E. Nielsen
Nicholas E. Nielsen

5/7/05
Date